

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

IN RE: ROBERT B RUDECKI)
) CASE NO. 11-32373
 SHEREE K RUDECKI)
) CHAPTER 13 PROCEEDING
 DEBTORS)
)
 -----) Adversary Proceeding 11-3033
)
 ROBERT B RUDECKI and)
 SHEREE K RUDECKI)
 Plaintiffs,)
 vs.)
 TERRY A. PRICE)
 Defendant)
)

TEMPORARY RESTRAINING ORDER WITHOUT NOTICE

W. D. M.
At South Bend, Indiana on July 14, 2011 at 11:28 am (pm)

Plaintiffs, Robert and Sheree Rudecki, by counsel, having filed a Verified Motion for
Temporary Restraining Order Without Notice, and meeting the requirements of N.D. Ind. L.B.R.
B-7065-1, it is now

ORDERED and ADJUDGED that Defendant taking any action on the Complaint filed
on or about December 2, 2010, in cause number 71D-051012-PL-00266, in the St. Joseph
County Superior Court and taking any action to enforce the land contract for the purchase of 324
Liberty, Walkerton, IN that is the subject of the said Complaint will cause irreparable harm to the
administration of the Chapter 13 case and interfere with the successful reorganization of Debtors
for the following reasons: 11 U.S.C. §1304 permits a debtor that is self-employed to continue to
operate his business, Plaintiffs make the land contract payments for Bernard Rudecki under the

land contract, the income derived from the continued operation of Twin Maple Tool, Inc at 324 Liberty, Walkerton, IN is property of the bankruptcy estate pursuant to 11 U.S.C. §1306(a)(2), and Debtors intentions to cure the default and maintain payments to Defendant or obtain financing with the help of Bernard Rudecki to payoff Defendant;

ORDERED and ADJUDGED that notice is not required for the entry of a temporary restraining order because Defendant has shown an intention to proceed to trial and seek a money judgment and foreclosure or forfeiture despite Plaintiff's counsel attempts to notify Defendant's counsel;

ORDERED and ADJUDGED that the Defendant, the Defendant's attorneys, agents, and employees and successors and any other persons or entities in active participation with Defendant are restrained and stopped from taking any action upon Defendants' rights (including but not limited to proceeding to trial and seeking judgment in cause number 71D-051012-PL-00266) against Twin Maple Tool, Inc and Bernard Rudecki for 14 days, which time can be extended for good cause;

ORDERED and ADJUDGED that compliance with Federal Rule of Civil Procedure 65 (c) is not necessary at this time pursuant to Federal Rule of Bankruptcy Procedure 7065.

SO ORDERED.

Opn 14. 2011

H.C. Dees

— Harry C. Dees, Jr., Judge

United States Bankruptcy Court